



Substitute House Bill No. 5505

Public Act No. 08-2

AN ACT CONCERNING THE CITIZENS' ELECTION PROGRAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 9-7b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The State Elections Enforcement Commission shall have the following duties and powers:

(1) To make investigations on its own initiative or with respect to statements filed with the commission by the Secretary of the State or any town clerk, or upon written complaint under oath by any individual, with respect to alleged violations of any provision of the general statutes relating to any election or referendum, any primary held pursuant to section 9-423, 9-425 or 9-464 or any primary held pursuant to a special act, and to hold hearings when the commission deems necessary to investigate violations of any provisions of the general statutes relating to any such election, primary or referendum, and for the purpose of such hearings the commission may administer oaths, examine witnesses and receive oral and documentary evidence, and shall have the power to subpoena witnesses under procedural rules the commission shall adopt, to compel their attendance and to require the production for examination of any books and papers which

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the commission deems relevant to any matter under investigation or in question. In connection with its investigation of any alleged violation of any provision of chapter 145, or of any provision of section 9-359 or section 9-359a, the commission shall also have the power to subpoena any municipal clerk and to require the production for examination of any absentee ballot, inner and outer envelope from which any such ballot has been removed, depository envelope containing any such ballot or inner or outer envelope as provided in sections 9-150a and 9-150b and any other record, form or document as provided in section 9-150b, in connection with the election, primary or referendum to which the investigation relates. In case of a refusal to comply with any subpoena issued pursuant to this subsection or to testify with respect to any matter upon which that person may be lawfully interrogated, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to comply with such subpoena and to testify; failure to obey any such order of the court may be punished by the court as a contempt thereof. In any matter under investigation which concerns the operation or inspection of or outcome recorded on any voting machine, the commission may issue an order to the municipal clerk to impound such machine until the investigation is completed;

(2) To levy a civil penalty not to exceed (A) two thousand dollars per offense against any person the commission finds to be in violation of any provision of chapter 145, part V of chapter 146, part I of chapter 147, chapter 148, section 7-9, section 9-12, subsection (a) of section 9-17, section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-23o, inclusive, 9-23r, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-232i to 9-232o, inclusive, 9-404a to 9-404c, inclusive, 9-409, 9-410, 9-412, 9-436, 9-436a, 9-453e to 9-453h, inclusive, 9-453k or 9-453o, (B) two thousand dollars per offense against any town clerk, registrar of voters, an appointee or designee of a town clerk or registrar of voters, or any

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other election or primary official whom the commission finds to have failed to discharge a duty imposed by any provision of chapter 146 or 147, (C) two thousand dollars per offense against any person the commission finds to have (i) improperly voted in any election, primary or referendum, and (ii) not been legally qualified to vote in such election, primary or referendum, or (D) two thousand dollars per offense or twice the amount of any improper payment or contribution, whichever is greater, against any person the commission finds to be in violation of any provision of chapter 155 or [sections 9-700 to 9-716, inclusive] 157. The commission may levy a civil penalty against any person under subparagraph (A), (B), (C) or (D) of this subdivision only after giving the person an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive. In the case of failure to pay any such penalty levied pursuant to this subsection within thirty days of written notice sent by certified or registered mail to such person, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to pay the penalty imposed and such court costs, state marshal's fees and attorney's fees incurred by the commission as the court may determine. Any civil penalties paid, collected or recovered under subparagraph (D) of this subdivision for a violation of any provision of chapter 155 applying to the office of the Treasurer shall be deposited on a pro rata basis in any trust funds, as defined in section 3-13c, affected by such violation;

(3) (A) To issue an order requiring any person the commission finds to have received any contribution or payment which is prohibited by any of the provisions of chapter 155 or 157, after an opportunity to be heard at a hearing conducted in accordance with the provisions of sections 4-176e to 4-184, inclusive, to return such contribution or payment to the donor or payor, or to remit such contribution or payment to the state for deposit in the General Fund or the Citizens' Election Fund, whichever is deemed necessary to effectuate the

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purposes of chapter 155 or 157, as the case may be;

(B) To issue an order when the commission finds that an intentional violation of any provision of chapter 155 or 157 has been committed, after an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive, which order may contain one or more of the following sanctions: (i) Removal of a campaign treasurer, deputy campaign treasurer or solicitor; (ii) prohibition on serving as a campaign treasurer, deputy campaign treasurer or solicitor, for a period not to exceed four years; and (iii) in the case of a party committee or a political committee, suspension of all political activities, including, but not limited to, the receipt of contributions and the making of expenditures, provided the commission may not order such a suspension unless the commission has previously ordered the removal of the campaign treasurer and notifies the officers of the committee that the commission is considering such suspension;

(C) To issue an order revoking any person's eligibility to be appointed or serve as an election, primary or referendum official or unofficial checker or in any capacity at the polls on the day of an election, primary or referendum, when the commission finds such person has intentionally violated any provision of the general statutes relating to the conduct of an election, primary or referendum, after an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive;

(D) To issue an order to enforce the provisions of the Help America Vote Act, P.L. 107-252, as amended from time to time, as the commission deems appropriate;

(E) To issue an order following the commission's determination of the right of an individual to be or remain an elector when such determination is made (i) pursuant to an appeal taken to the commission from a decision of the registrars of voters or board of

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admission of electors under section 9-31l, or (ii) following the commission's investigation pursuant to subdivision (1) of this subsection;

(F) To issue a cease and desist order for violation of any general statute or regulation under the commission's jurisdiction and to take reasonable actions necessary to compel compliance with such statute or regulation;

(4) To issue an order to a candidate committee that receives moneys from the Citizens' Election Fund pursuant to [sections 9-700 to 9-716, inclusive] chapter 157, to comply with the provisions of [sections 9-700 to 9-716, inclusive] chapter 157, after an opportunity to be heard at a hearing conducted in accordance with the provisions of sections 4-176e to 4-184, inclusive;

(5) To inspect or audit at any reasonable time and upon reasonable notice the accounts or records of any campaign treasurer or principal campaign treasurer, as required by chapter 155 or 157 and to audit any such election, primary or referendum held within the state; provided, (A) (i) not later than two months preceding the day of an election at which a candidate is seeking election, the commission shall complete any audit it has initiated in the absence of a complaint that involves a committee of the same candidate from a previous election, and (ii) during the two-month period preceding the day of an election at which a candidate is seeking election, the commission shall not initiate an audit in the absence of a complaint that involves a committee of the same candidate from a previous election, and (B) the commission shall not audit any caucus, as defined in subdivision (1) of section 9-372, as amended by this act;

(6) To attempt to secure voluntary compliance, by informal methods of conference, conciliation and persuasion, with any provision of [chapters] chapter 149, 151 to 153, inclusive, 155, [and] 156 or 157 or

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any other provision of the general statutes relating to any such election, primary or referendum;

(7) To consult with the Secretary of the State, the Chief State's Attorney or the Attorney General on any matter which the commission deems appropriate;

(8) To refer to the Chief State's Attorney evidence bearing upon violation of any provision of [chapters] chapter 149, 151 to 153, inclusive, 155, [and] 156 or 157 or any other provision of the general statutes pertaining to or relating to any such election, primary or referendum;

(9) To refer to the Attorney General evidence for injunctive relief and any other ancillary equitable relief in the circumstances of subdivision (8) of this subsection. Nothing in this subdivision shall preclude a person who claims that he is aggrieved by a violation of any provision of chapter 152 or any other provision of the general statutes relating to referenda from pursuing injunctive and any other ancillary equitable relief directly from the Superior Court by the filing of a complaint;

(10) To refer to the Attorney General evidence pertaining to any ruling which the commission finds to be in error made by election officials in connection with any election, primary or referendum. Those remedies and procedures available to parties claiming to be aggrieved under the provisions of sections 9-323, 9-324, 9-328 and 9-329a shall apply to any complaint brought by the Attorney General as a result of the provisions of this subdivision;

(11) To consult with the United States Department of Justice and the United States Attorney for Connecticut on any investigation pertaining to a violation of this section, section 9-12, subsection (a) of section 9-17 or section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-

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23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56 or 9-59 and to refer to said department and attorney evidence bearing upon any such violation for prosecution under the provisions of the National Voter Registration Act of 1993, P.L. 103-31, as amended from time to time;

(12) To inspect reports filed with [the Secretary of the State and with] town clerks pursuant to chapter 155 and refer to the Chief State's Attorney evidence bearing upon any violation of law therein if such violation was committed knowingly and wilfully;

(13) To intervene in any action brought pursuant to the provisions of sections 9-323, 9-324, 9-328 and 9-329a upon application to the court in which such action is brought when in the opinion of the court it is necessary to preserve evidence of possible criminal violation of the election laws;

(14) To adopt and publish regulations pursuant to chapter 54 to carry out the provisions of section 9-7a, this section, [chapter 155 and sections 9-700 to 9-716, inclusive] and chapters 155 and 157; to issue upon request and publish advisory opinions in the Connecticut Law Journal upon the requirements of [chapter 155] chapters 155 and 157, and to make recommendations to the General Assembly concerning suggested revisions of the election laws;

(15) To the extent that the Elections Enforcement Commission is involved in the investigation of alleged or suspected criminal violations of any provision of the general statutes pertaining to or relating to any such election, primary or referendum and is engaged in such investigation for the purpose of presenting evidence to the Chief State's Attorney, the Elections Enforcement Commission shall be deemed a law enforcement agency for purposes of subdivision (3) of subsection (b) of section 1-210, provided nothing in this section shall be construed to exempt the Elections Enforcement Commission in any

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other respect from the requirements of the Freedom of Information Act, as defined in section 1-200;

(16) To enter into such contractual agreements as may be necessary for the discharge of its duties, within the limits of its appropriated funds and in accordance with established procedures;

(17) To provide the Secretary of the State with notice and copies of all decisions rendered by the commission in contested cases, advisory opinions and declaratory judgments, at the time such decisions, judgments and opinions are made or issued;

(18) To receive and determine complaints filed under the Help America Vote Act, P.L. 107-252, as amended from time to time, by any person who believes there is a violation of any provision of Title III of P.L. 107-252, as amended. Any complaint filed under this subdivision shall be in writing, notarized and signed and sworn by the person filing the complaint. At the request of the complainant, there shall be a hearing on the record, conducted in accordance with sections 4-167e to 4-184, inclusive. The commission shall make a final determination with respect to a complaint prior to the expiration of the ninety-day period beginning on the date the complaint is filed, unless the complainant consents to a longer period for making such determination. If the commission fails to meet the applicable deadline under this subdivision with respect to a complaint, the commission shall resolve the complaint within sixty days after the expiration of such ninety-day period under an alternative dispute resolution procedure established by the commission.

(b) In the case of a refusal to comply with an order of the commission issued pursuant to subdivision (3) or (4) of subsection (a) of this section, the superior court for the judicial district of Hartford, on application of the commission, may issue a further order to comply. Failure to obey such further order may be punished by the court as a

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contempt thereof.

Sec. 2. Section 9-372 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The following terms, as used in this chapter, chapter 157 and sections 9-51 to 9-67, inclusive, 9-169e, 9-217, 9-236 and 9-361, shall have the following meanings:

(1) "Caucus" means any meeting, at a designated hour and place, or at designated hours and places, of the enrolled members of a political party within a municipality or political subdivision thereof for the purpose of selecting party-endorsed candidates for a primary to be held by such party or for the purpose of transacting other business of such party;

(2) "Convention" means a meeting of delegates of a political party held for the purpose of designating the candidate or candidates to be endorsed by such party in a primary of such party for state or district office or for the purpose of transacting other business of such party;

(3) "District" means any geographic portion of the state which crosses the boundary or boundaries between two or more towns;

(4) "District office" means an elective office for which only the electors in a district, as defined in subdivision (3) of this section, may vote;

(5) "Major party" means (A) a political party or organization whose candidate for Governor at the last-preceding election for Governor received, under the designation of that political party or organization, at least twenty per cent of the whole number of votes cast for all candidates for Governor, or (B) a political party having, at the last-preceding election for Governor, a number of enrolled members on the active registry list equal to at least twenty per cent of the total number

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of enrolled members of all political parties on the active registry list in the state;

(6) "Minor party" means a political party or organization which is not a major party and whose candidate for the office in question received at the last-preceding regular election for such office, under the designation of that political party or organization, at least one per cent of the whole number of votes cast for all candidates for such office at such election;

(7) "Municipal office" means an elective office for which only the electors of a single town, city, borough, or political subdivision, as defined in subdivision (10) of this section, may vote, including the office of justice of the peace;

(8) "Party designation committee" means an organization, composed of at least twenty-five members who are electors, which has, on or after November 4, 1981, reserved a party designation with the Secretary of the State pursuant to the provisions of this chapter;

(9) "Party-endorsed candidate" means (A) in the case of a candidate for state or district office, a person endorsed by the convention of a political party as a candidate in a primary to be held by such party, and (B) in the case of a candidate for municipal office or for member of a town committee, a person endorsed by the town committee, caucus or convention, as the case may be, of a political party as a candidate in a primary to be held by such party;

(10) "Political subdivision" means any voting district or combination of voting districts constituting a part of a municipality;

(11) "Primary" means a meeting of the enrolled members of a political party and, when applicable under section 9-431, unaffiliated electors, held during consecutive hours at which such members or electors may, without assembling at the same hour, vote by secret

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ballot for candidates for nomination to office or for town committee members;

(12) "Registrar" means the registrar of voters in a municipality who is enrolled with the political party holding a primary and, in each municipality where there are different registrars for different voting districts, means the registrar so enrolled in the voting district in which, at the last-preceding regular election, the presiding officer for the purpose of declaring the result of the vote of the whole municipality was moderator;

(13) "Slate" means a group of candidates for nomination by a political party to the office of justice of the peace of a town, which group numbers at least a bare majority of the number of justices of the peace to be nominated by such party for such town;

(14) "State office" means any office for which all the electors of the state may vote and includes the office of Governor, Lieutenant Governor, Secretary, Treasurer, Comptroller, Attorney General and senator in Congress, but does not include the office of elector of President and Vice-President of the United States;

(15) "Votes cast for the same office at the last-preceding election" or "votes cast for all candidates for such office at the last-preceding election" means, in the case of multiple openings for the same office, the total number of electors checked as having voted at the last-preceding election at which such office appeared on the ballot label.

Sec. 3. Subsection (d) of section 9-604 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) A slate of candidates in a primary for the office of justice of the peace shall designate a chairperson to form a single political committee to comply with the requirements of section 9-605, as amended by this

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act, except [(1)] if the individuals on the slate unanimously consent to have their campaign financed solely by a town committee and such committee consents to such financing by filing a statement of consent with [both the Secretary of the State and] the town clerk of the municipality in which the primary is to be held. [, or (2) in the case of a primary for convention delegates to a United States senatorial or congressional district convention, the candidate on whose behalf the slate is committed has filed a registration of a committee with the Federal Election Commission, and that committee is solely financing the primary campaign for said delegates.]

Sec. 4. Section 9-605 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The chairperson of each political committee shall designate a campaign treasurer and may designate a deputy campaign treasurer. The campaign treasurer and any deputy campaign treasurer so designated shall sign a statement accepting the designation. The chairperson of each political committee shall file a registration statement [of organization] described in subsection (b) of this section along with the statement signed by the designated campaign treasurer and deputy campaign treasurer with the proper authority, within ten days after its organization, provided that the chairperson of any political committee organized within ten days prior to any primary, election or referendum in connection with which it intends to make any contributions or expenditures, shall immediately file a registration statement.

(b) The registration statement shall include: (1) The name and address of the committee; (2) a statement of the purpose of the committee; (3) the name and address of its campaign treasurer, and deputy campaign treasurer if applicable; (4) the name, address and position of its chairman, and other principal officers if applicable; (5) the name and address of the depository institution for its funds; (6) the

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name of each person, other than an individual, that is a member of the committee; (7) the name and party affiliation of each candidate whom the committee is supporting and the office or position sought by each candidate; (8) if the committee is supporting the entire ticket of any party, a statement to that effect and the name of the party; (9) if the committee is supporting or opposing any referendum question, a brief statement identifying the substance of the question; (10) if the committee is established by a business entity or organization, the name of the entity or organization; (11) if the committee is established by an organization, whether it will receive its funds from the organization's treasury or from voluntary contributions; (12) if the committee files reports with the Federal Elections Commission or any out-of-state agency, a statement to that effect including the name of the agency; (13) a statement indicating whether the committee is established for a single primary, election or referendum or for ongoing political activities; (14) if the committee is established [by or on behalf of] or controlled by a lobbyist, a statement to that effect and the name of the lobbyist; [and] (15) the name and address of the person making the initial contribution or disbursement, if any, to the committee; and (16) any information that the State Elections Enforcement Commission requires to facilitate compliance with the provisions of this chapter or chapter 157. If no such initial contribution or disbursement has been made at the time of the filing of such statement, the campaign treasurer of the committee shall, not later than forty-eight hours after receipt of such contribution or disbursement, file a report with the State Elections Enforcement Commission. The report shall be in the same form as statements filed under section 9-608 of the 2008 supplement to the general statutes, as amended by this act.

(c) The chairman of each political committee shall report any addition to or change in information previously submitted in a statement of organization to the proper authority not later than ten days after the addition or change.

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(d) A group of two or more individuals who have joined solely to promote the success or defeat of a referendum question shall not be required to file as a political committee, make such designations in accordance with subsections (a) and (b) of this section or file statements pursuant to section 9-608 of the 2008 supplement to the general statutes, as amended by this act, if the group does not receive or expend in excess of one thousand dollars for the entire campaign and the agent of such individuals files a certification with the proper authority or authorities as required under section 9-603 before an expenditure is made. The certification shall include the name of the group, or the names of the persons who comprise the group, and the name and address of the agent which shall appear on any communication paid for or sponsored by the group as required by section 9-621, as amended by this act. If the group receives or expends in excess of one thousand dollars, the agent shall complete the statement of organization and file as a political committee not later than three business days thereafter. The agent shall provide the designated campaign treasurer with all information required for completion of the statements for filing as required by section 9-608 of the 2008 supplement to the general statutes, as amended by this act. The filing of a certification under this subsection shall not relieve the group from compliance with the provisions of this chapter, and the group shall be considered a political committee established solely for a referendum question for purposes of the limitations on contributions and expenditures.

(e) (1) No individual shall establish or control more than one political committee. The indicia of establishment or control of a political committee by an individual includes the individual serving as chairperson or campaign treasurer of the committee and may include, but shall not be limited to, the individual making the initial contribution to the committee. Such indicia shall not include (A) an individual communicating with (i) an officer of the political committee,

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or (ii) any individual establishing or controlling the political committee, or (B) the individual monitoring contributions made by the political committee. Any individual who, on December 31, 2006, has established or controls more than one political committee shall, not later than thirty days after said date, disavow all but one of such committees, in writing, to the State Elections Enforcement Commission. The provisions of this subdivision shall not apply to the establishment of an exploratory committee by an elected public official.

(2) The members of the same political party in a house of the General Assembly may establish a single legislative caucus committee. The chairperson of each such committee shall certify the designation of such committee as a legislative caucus committee and shall file such certification along with the statement of organization pursuant to subsection (a) of this section. Each such committee shall be identified in such designation by the house of the General Assembly in which such legislators serve and the political party to which they belong. A legislative caucus committee shall not be subject to the limitation in subdivision (1) of this subsection on the establishment or control of one political committee by any individual.

(3) The speaker of the House of Representatives, majority leader of the House of Representatives, president pro tempore of the Senate and majority leader of the Senate may each establish a single legislative leadership committee, and the minority leader of the House of Representatives and the minority leader of the Senate may each establish two legislative leadership committees. The chairperson of each such committee shall certify the designation of such committee as a legislative leadership committee and shall file such certification along with the statement of organization pursuant to subsection (a) of this section. Each such committee shall be identified in such designation by the General Assembly leader who establishes the

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committee. A legislative leadership committee shall not be subject to the limitation in subdivision (1) of this subsection on the establishment or control of one political committee by any individual.

Sec. 5. Subsection (i) of section 9-607 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(i) The right of any person to expend money for proper legal expenses in maintaining or contesting the results of any election or primary shall not be affected or limited by the provisions of this chapter or chapter 157, provided only sources eligible to contribute to the candidate for the campaign may contribute to the payment of legal expenses.

Sec. 6. Subsection (b) of section 9-608 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The statements required to be filed under subsection (a) of this section and subdivisions (2) and (3) of subsection (e) of this section, shall not be required to be filed by: (1) A candidate committee or political committee formed for a single primary or election until such committee receives or expends an amount in excess of one thousand dollars for purposes of the primary or election for which such committee was formed; (2) a political committee formed solely to aid or promote the success or defeat of any referendum question until such committee receives or expends an amount in excess of one thousand dollars; or (3) a party or political committee organized for ongoing political activities until such committee receives or expends an amount in excess of one thousand dollars for the calendar year except the statements required to be filed on the [second Thursday] tenth calendar day in the month of January and on the seventh day preceding any election shall be so filed. The provisions of this

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subsection shall not apply to state central committees or to the statement required to be filed by an exploratory committee upon its termination. A committee which is exempted from filing statements under the provisions of this subsection shall file in lieu thereof a statement sworn under penalty of false statement, indicating that the committee has not received or expended an amount in excess of one thousand dollars.

Sec. 7. Subsection (c) of section 9-608 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) (1) Each statement filed under subsection (a), (e) or (f) of this section shall include, but not be limited to: (A) An itemized accounting of each contribution, if any, including the full name and complete address of each contributor and the amount of the contribution; (B) in the case of anonymous contributions, the total amount received and the denomination of the bills; (C) an itemized accounting of each expenditure, if any, including the full name and complete address of each payee, including secondary payees whenever the primary or principal payee is known to include charges which the primary payee has already paid or will pay directly to another person, vendor or entity, the amount and the purpose of the expenditure, the candidate supported or opposed by the expenditure, whether the expenditure is made independently of the candidate supported or is an in-kind contribution to the candidate, and a statement of the balance on hand or deficit, as the case may be; (D) an itemized accounting of each expense incurred but not paid, provided if the expense is incurred by use of a credit card, the accounting shall include secondary payees, and the amount owed to each such payee; (E) the name and address of any person who is the guarantor of a loan to, or the cosigner of a note with, the candidate on whose behalf the committee was formed, or the campaign treasurer in the case of a party committee or a political

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committee or who has advanced a security deposit to a telephone company, as defined in section 16-1 of the 2008 supplement to the general statutes, for telecommunications service for a committee; (F) for each business entity or person purchasing advertising space in a program for a fund-raising affair, the name and address of the business entity or the name and address of the person, and the amount and aggregate amounts of such purchases; (G) for each individual who contributes in excess of one hundred dollars but not more than one thousand dollars, in the aggregate, to the extent known, the principal occupation of such individual and the name of the individual's employer, if any; (H) for each individual who contributes in excess of one thousand dollars in the aggregate, the principal occupation of such individual, the name of the individual's employer, if any; [and a statement indicating whether the individual or a business with which he is associated has a contract with the state which is valued at more than five thousand dollars;] (I) for each itemized contribution made by a lobbyist, the spouse of a lobbyist or any dependent child of a lobbyist who resides in the lobbyist's household, a statement to that effect; and (J) for each individual who contributes in excess of four hundred dollars in the aggregate to or for the benefit of any candidate's campaign for nomination at a primary or election to the office of chief executive officer of a town, city or borough, a statement indicating whether the individual or a business with which he is associated has a contract with said municipality that is valued at more than five thousand dollars. Each campaign treasurer shall include in such statement (i) an itemized accounting of the receipts and expenditures relative to any testimonial affair held under the provisions of section 9-609 or any other fund-raising affair, which is referred to in subsection (b) of section 9-601a, and (ii) the date, location and a description of the affair.

(2) Each contributor described in subparagraph (G), (H), (I) or (J) of subdivision (1) of this subsection shall, at the time the contributor

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makes such a contribution, provide the information which the campaign treasurer is required to include under said subparagraph in the statement filed under subsection (a), (e) or (f) of this section. Notwithstanding any provision of subdivision (2) of section 9-7b, as amended by this act, any contributor described in subparagraph (G) of subdivision (1) of this subsection who does not provide such information at the time the contributor makes such a contribution and any treasurer shall not be subject to the provisions of subdivision (2) of section 9-7b, as amended by this act. If a campaign treasurer receives a contribution from an individual which separately, or in the aggregate, is in excess of one thousand dollars and the contributor has not provided the information required by said subparagraph (H) or if a campaign treasurer receives a contribution from an individual to or for the benefit of any candidate's campaign for nomination at a primary or election to the office of chief executive officer of a town, city or borough, which separately, or in the aggregate, is in excess of four hundred dollars and the contributor has not provided the information required by said subparagraph (J), the campaign treasurer: (i) Within three business days after receiving the contribution, shall send a request for such information to the contributor by certified mail, return receipt requested; (ii) shall not deposit the contribution until the campaign treasurer obtains such information from the contributor, notwithstanding the provisions of section 9-606; and (iii) shall return the contribution to the contributor if the contributor does not provide the required information within fourteen days after the treasurer's written request or the end of the reporting period in which the contribution was received, whichever is later. Any failure of a contributor to provide the information which the campaign treasurer is required to include under said subparagraph (G) or (I), which results in noncompliance by the campaign treasurer with the provisions of said subparagraph (G) or (I), shall be a complete defense to any action against the campaign treasurer for failure to disclose such information.

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(3) In addition to the requirements of subdivision (2) of this subsection, each contributor who makes a contribution to a candidate or exploratory committee for Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State, State Treasurer, state senator or state representative, any political committee authorized to make contributions to such candidates or committees, and any party committee that separately, or in the aggregate, exceeds fifty dollars shall provide with the contribution a certification that the contributor is not a principal of a state contractor or prospective state contractor, as defined in subsection (g) of section 9-612 of the 2008 supplement to the general statutes, as amended by this act, nor a communicator lobbyist or a member of the immediate family of a communicator lobbyist and shall provide the name of the employer of the contributor. The State Elections Enforcement Commission shall prepare a sample form for such certification by the contributor and shall make it available to campaign treasurers and contributors. Such sample form shall include an explanation of the terms "communicator lobbyist" and "principal of a state contractor or principal of a prospective state contractor". The information on such sample form shall be included in any written solicitation conducted by any such committee. If a campaign treasurer receives such a contribution and the contributor has not provided such certification, the campaign treasurer shall: (A) Not later than three business days after receiving the contribution, send a request for the certification to the contributor by certified mail, return receipt requested; (B) not deposit the contribution until the campaign treasurer obtains the certification from the contributor, notwithstanding the provisions of section 9-606; and (C) return the contribution to the contributor if the contributor does not provide the certification not later than fourteen days after the treasurer's written request or at the end of the reporting period in which the contribution was received, whichever is later. If a campaign treasurer deposits a contribution based on a certification that is later determined to be false, the treasurer shall not be in violation of this

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subdivision.

(4) Contributions from a single individual to a campaign treasurer in the aggregate totaling fifty dollars or less need not be individually identified in the statement, but a sum representing the total amount of all such contributions made by all such individuals during the period to be covered by such statement shall be a separate entry, identified only by the words "total contributions from small contributors".

(5) Each statement filed by the campaign treasurer of a party committee, a legislative caucus committee or a legislative leadership committee shall include an itemized accounting of each organization expenditure made by the committee. Concomitant with the filing of any such statement containing an accounting of an organization expenditure made by the committee for the benefit of a participating candidate for the office of state senator or state representative, such campaign treasurer shall provide notice of the amount and purpose of the organization expenditure to the candidate committee of such candidate.

(6) In addition to the other applicable requirements of this section, the campaign treasurer of a candidate committee of a participating candidate for the office of state senator or state representative who has received the benefit of any organization expenditure shall, not later than the time of dissolving such committee, file a statement with the State Elections Enforcement Commission that lists, if known to such candidate committee, the committee which made such organization expenditure for such candidate's behalf and the amount and purpose of such organization expenditure.

(7) Statements filed in accordance with this section shall remain public records of the state for five years from the date such statements are filed.

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Sec. 8. Subsections (e) and (f) of section 9-610 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(e) For purposes of this subsection and subsection (f) of this section, the exclusions to the term "contribution" in subsection (b) of section 9-601a shall not apply; the term "state office" means the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer or Secretary of the State; and the term "state officer" means the Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer or Secretary of the State. Notwithstanding any provision of this chapter to the contrary, during any regular session of the General Assembly, during any special session of the General Assembly held between the adjournment of the regular session in an odd-numbered year and the convening of the regular session in the following even-numbered year or during any reconvened session of the General Assembly held in an odd-numbered year to reconsider vetoed bills, (1) no client lobbyist or political committee established by or on behalf of a client lobbyist shall make or offer to make a contribution to or on behalf of, and no such lobbyist shall solicit a contribution on behalf of, (A) a candidate or exploratory committee established by a candidate for nomination or election to the General Assembly or a state office or (B) a political committee (i) established for an assembly or senatorial district, (ii) established by a member of the General Assembly or a state officer or such member or officer's agent, or in consultation with, or at the request or suggestion of, any such member, officer or agent, or (iii) controlled by such member, officer or agent, to aid or promote the nomination or election of any candidate or candidates to the General Assembly or a state office, and (2) no such candidate or political committee shall accept such a contribution. The provisions of this subsection shall not apply to a candidate committee established by a member of the General Assembly or a candidate for nomination or election to the General

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Assembly, at a special election for the General Assembly, from the date on which the candidate or the chairman of the committee files the designation of a campaign treasurer and a depository institution under section 9-602 with the [Secretary of the State] State Elections Enforcement Commission, to the date on which the special election is held, inclusive, or to an exploratory committee established by a member of the General Assembly to promote his candidacy for an office other than the General Assembly.

(f) A political committee established by two or more individuals under subparagraph (B) of subsection (3) of section 9-601, other than a committee established solely for the purpose of aiding or promoting any candidate or candidates for municipal office or the success or defeat of a referendum question, shall be subject to the prohibition on acceptance of client lobbyist contributions under subsection (e) of this section unless the campaign treasurer of the committee has filed a certification that the committee is not established for an assembly or senatorial district, or by a member of the General Assembly or a state officer, or such member or officer's agent, or in consultation with, or at the request or suggestion of, any such member, officer or agent, or controlled by such member, officer or agent. The campaign treasurer of any political committee established by or [on behalf of] controlled by a client lobbyist shall file a certification to that effect. Such certifications shall be filed with the [office of the Secretary of the State] State Elections Enforcement Commission, on forms prescribed by the [secretary] commission, on or before November 15, [1994] 2008, for all such political committees in existence on such date, or upon the registration of the committee, and on or before November fifteenth biennially thereafter. [The secretary shall provide to the State Elections Enforcement Commission on or before December 1, 1994, and biennially thereafter, a political committee registration report. The report shall include a certified copy of each certification filed pursuant to this subsection prior to December first of the reporting year and a

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certified copy of a list stating the name of each political committee registered pursuant to section 9-605 prior to December first of the reporting year and the name and address of the campaign treasurer of each such committee. In the case of any political committee which registers or files a certification on or after December first of any even-numbered year but prior to November first of the following even-numbered year, the secretary shall provide the commission with a copy of each such registration or certification by the close of the next business day following receipt. Such registration information or certification shall also be included in the biennial political committee registration report of the secretary to the commission.] The commission shall prepare a list of all such committees subject to the prohibitions under subsection (e) of this section, according to the certifications filed, which shall be available prior to the opening of each regular session of the General Assembly, and shall provide a copy of the list to the president pro tempore of the Senate, the speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives and each state officer. During each such regular session, the commission shall prepare a supplemental list of committees which register after November fifteenth and are subject to such prohibitions, and the commission shall provide the supplemental list to such legislative leaders and state officers. The filing of the certification by the campaign treasurer of the committee shall not impair the authority of the commission to act under section 9-7b, as amended by this act. Any client lobbyist or campaign treasurer who acts in reliance on such lists in good faith shall have an absolute defense in any action brought under subsection (e) and this subsection, subsection (c) of section 9-604, and subsection (f) of section 9-608.

Sec. 9. Subsection (h) of section 9-610 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(h) No communicator lobbyist, immediate family member of a communicator lobbyist, agent of a communicator lobbyist, or political committee established or controlled by a communicator lobbyist or any such immediate family member or agent shall solicit (1) a contribution on behalf of a candidate committee or an exploratory committee established by a candidate for the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer, Secretary of the State, state senator or state representative, a political committee established or controlled by any such candidate, a legislative caucus committee, a legislative leadership committee or a party committee, or (2) the purchase of advertising space in a program for a fund-raising affair sponsored by a town committee, as described in subparagraph (B) of subdivision (10) of section 9-601a.

Sec. 10. Subdivision (2) of subsection (g) of section 9-612 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) On and after December 31, 2006:

(A) No state contractor, prospective state contractor, principal of a state contractor or principal of a prospective state contractor, with regard to a state contract or a state contract solicitation with or from a state agency in the executive branch or a quasi-public agency or a holder, or principal of a holder of a valid prequalification certificate, shall make a contribution to, or solicit contributions on behalf of (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee;

(B) No state contractor, prospective state contractor, principal of a

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state contractor or principal of a prospective state contractor, with regard to a state contract or a state contract solicitation with or from the General Assembly or a holder, or principal of a holder, of a valid prequalification certificate, shall make a contribution to, or solicit contributions on behalf of (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of state senator or state representative, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee;

(C) If a state contractor or principal of a state contractor makes or solicits a contribution prohibited under subparagraph (A) or (B) of this subdivision, as determined by the State Elections Enforcement Commission, the contracting state agency or quasi-public agency may, in the case of a state contract executed on or after February 8, 2007, void the existing contract with said contractor, and no state agency or quasi-public agency shall award the state contractor a state contract or an extension or an amendment to a state contract for one year after the election for which such contribution is made or solicited unless the commission determines that mitigating circumstances exist concerning such violation. No violation of the prohibitions contained in subparagraph (A) or (B) of this subdivision shall be deemed to have occurred if, and only if, the improper contribution is returned to the principal by the later of thirty days after receipt of such contribution by the recipient committee treasurer or the filing date that corresponds with the reporting period in which such contribution was made; and

(D) If a prospective state contractor or principal of a prospective state contractor makes or solicits a contribution prohibited under subparagraph (A) or (B) of this subdivision, as determined by the State Elections Enforcement Commission, no state agency or quasi-public agency shall award the prospective state contractor the contract described in the state contract solicitation or any other state contract

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for one year after the election for which such contribution is made or solicited unless the commission determines that mitigating circumstances exist concerning such violation. The Commissioner of Administrative Services shall notify applicants of the provisions of this subparagraph and subparagraphs (A) and (B) of this subdivision during the prequalification application process.

(E) The State Elections Enforcement Commission shall make available to each state agency and quasi-public agency a written notice advising state contractors and prospective state contractors of the contribution and solicitation prohibitions contained in subparagraphs (A) and (B) of this subdivision. Such notice shall: (i) Direct each state contractor and prospective state contractor to inform each individual described in subparagraph (F) of subdivision (1) of this subsection, with regard to said state contractor or prospective state contractor, about the provisions of subparagraph (A) or (B) of this subdivision, whichever is applicable, and this subparagraph; (ii) inform each state contractor and prospective state contractor of the civil and criminal penalties that could be imposed for violations of such prohibitions if any such contribution is made or solicited; (iii) inform each state contractor and prospective state contractor that, in the case of a state contractor, if any such contribution is made or solicited, the contract may be voided; (iv) inform each state contractor and prospective state contractor that, in the case of a prospective state contractor, if any such contribution is made or solicited, the contract described in the state contract solicitation shall not be awarded, unless the commission determines that mitigating circumstances exist concerning such violation; and (v) inform each state contractor and prospective state contractor that the state will not award any other state contract to anyone found in violation of such prohibitions for a period of one year after the election for which such contribution is made or solicited, unless the commission determines that mitigating circumstances exist concerning such violation. Each state agency and quasi-public agency

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shall distribute such notice to the chief executive officer of its contractors and prospective state contractors, or an authorized signatory to a state contract, and shall obtain a written acknowledgement of the receipt of such notice.

Sec. 11. Subdivision (4) of subsection (g) of section 9-612 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) The provisions of this subsection shall not ~~[restrict]~~ apply to the campaign of a principal of a state contractor or prospective state contractor ~~[from establishing an exploratory or candidate committee, or from soliciting for and making contributions to a town committee or political committee that the principal has designated, in accordance with subsection (b) of section 9-604, for said principal's own campaign or from soliciting contributions for such committees from persons not prohibited from making contributions under this subsection]~~ or to a principal of a state contractor or prospective state contractor who is an elected public official.

Sec. 12. Subsection (i) of section 9-612 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(i) The State ~~[Elections Enforcement Commission]~~ Contracting Standards Board shall study subcontracts for state contracts and, not later than February 1, ~~[2009]~~ 2010, submit proposed legislation for extending the provisions of this subsection to such subcontracts to the joint standing committee of the General Assembly having cognizance of matters relating to elections.

Sec. 13. Subsection (a) of section 9-618 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) A political committee organized for ongoing political activities may make unlimited contributions to, or for the benefit of, any national committee of a political party; or a committee of a candidate for federal or out-of-state office. Except as provided in subdivision [(2)] (3) of subsection (d) of this section, no such political committee shall make a contribution or contributions in excess of two thousand dollars to another political committee in any calendar year. No political committee organized for ongoing political activities shall make a contribution in excess of three hundred seventy-five dollars to an exploratory committee. If such an ongoing committee is established by an organization or a business entity, its contributions shall be subject to the limits imposed by sections 9-613 to 9-615, inclusive. A political committee organized for ongoing political activities may make contributions to a charitable organization which is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, as from time to time amended, or make memorial contributions.

Sec. 14. Subsection (a) of section 9-621 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No individual shall make or incur any expenditure with the cooperation of, at the request or suggestion of, or in consultation with any candidate, candidate committee or candidate's agent, and no candidate or committee shall make or incur any expenditure including an organization expenditure for a party candidate listing, as defined in subparagraph (A) of subdivision (25) of section 9-601, for any written, typed or other printed communication, or any web-based, written communication, which promotes the success or defeat of any candidate's campaign for nomination at a primary or election or solicits funds to benefit any political party or committee unless such communication bears upon its face (1) the words "paid for by" and the following: (A) In the case of such an individual, the name and address

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of such individual; (B) in the case of a committee other than a party committee, the name of the committee and its campaign treasurer; or (C) in the case of a party committee, the name of the committee, and (2) the words "approved by" and the following: (A) In the case of an individual making or incurring an expenditure with the cooperation of, at the request or suggestion of, or in consultation with any candidate, candidate committee or candidate's agent, the name of such individual; or (B) in the case of a candidate committee, the name of the candidate. [No candidate or candidate committee or exploratory committee established by a candidate shall make or incur any expenditure for a mailing to promote the success of said candidate's campaign for nomination at a primary or election or the defeat of another candidate's campaign for nomination at a primary or election, unless the mailing contains a photograph of the candidate conducting the mailing and said candidate's name in a font that is not less than the size of the font used for the narrative of the mailing.]

Sec. 15. Subsection (b) of section 9-623 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) If any campaign treasurer [or lobbyist] fails to file [the statements] any statement required by section 9-608 [or subsection (g) of section 9-610] of the 2008 supplement to the general statutes, as amended by this act, or if any candidate fails to file either (A) a statement for the formation of a candidate committee as required by section 9-604, as amended by this act, or (B) a certification pursuant to section 9-603 that the candidate is exempt from forming a candidate committee as required by section 9-604, as amended by this act, within the time required, the campaign treasurer [, lobbyist] or candidate, as the case may be, shall pay a late filing fee of one hundred dollars.

(2) In the case of any such statement or certification that is required to be filed with the State Elections Enforcement Commission, the

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commission shall, not later than ten days after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, if such statement or certification is not filed not later than twenty-one days after such notice, the person is in violation of section 9-603, 9-604, as amended by this act, or 9-608 [or subsection (g) of section 9-610] of the 2008 supplement to the general statutes, as amended by this act.

(3) In the case of any such statement or certification that is required to be filed with a town clerk, the town clerk shall forthwith after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, if such statement or certification is not filed not later than seven days after the town clerk mails such notice, the town clerk shall notify the State Elections Enforcement Commission that the person is in violation of section 9-603, 9-604, as amended by this act, or 9-608 [or subsection (g) of section 9-610] of the 2008 supplement to the general statutes, as amended by this act.

(4) The penalty for any violation of section 9-603, 9-604, as amended by this act, or 9-608 [or subsection (g) of section 9-610] of the 2008 supplement to the general statutes, as amended by this act, shall be a fine of not less than two hundred dollars or more than two thousand dollars or imprisonment for not more than one year, or both.

Sec. 16. Section 9-704 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The amount of qualifying contributions that the candidate committee of a candidate shall be required to receive in order to be eligible for grants from the Citizens' Election Fund shall be:

(1) In the case of a candidate for nomination or election to the office of Governor, contributions from individuals in the aggregate amount

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of two hundred fifty thousand dollars, of which two hundred twenty-five thousand dollars or more is contributed by individuals residing in the state. The provisions of this subdivision shall be subject to the following: (A) The candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds one hundred dollars, and such excess portion shall not be considered in calculating such amounts, and (B) all contributions received by (i) an exploratory committee established by said candidate, or (ii) an exploratory committee or candidate committee of a candidate for the office of Lieutenant Governor who is deemed to be jointly campaigning with a candidate for nomination or election to the office of Governor under subsection (a) of section 9-709, which meet the criteria for qualifying contributions to candidate committees under this section shall be considered in calculating such amounts; and

(2) In the case of a candidate for nomination or election to the office of Lieutenant Governor, Attorney General, State Comptroller, State Treasurer or Secretary of the State, contributions from individuals in the aggregate amount of seventy-five thousand dollars, of which sixty-seven thousand five hundred dollars or more is contributed by individuals residing in the state. The provisions of this subdivision shall be subject to the following: (A) The candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds one hundred dollars, and such excess portion shall not be considered in calculating such amounts, and (B) all contributions received by an exploratory committee established by said candidate that meet the criteria for qualifying contributions to candidate committees under this section shall be considered in calculating such amounts.

(3) In the case of a candidate for nomination or election to the office of state senator for a district, contributions from individuals in the

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aggregate amount of fifteen thousand dollars, including contributions from at least three hundred individuals residing in municipalities included, in whole or in part, in said district. The provisions of this subdivision shall be subject to the following: (A) The candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds one hundred dollars, and such excess portion shall not be considered in calculating the aggregate contribution amount under this subdivision, (B) no contribution shall be counted for the purposes of the requirement under this subdivision for contributions from at least three hundred individuals residing in municipalities included, in whole or in part, in the district unless the contribution is five dollars or more, and (C) all contributions received by an exploratory committee established by said candidate that meet the criteria for qualifying contributions to candidate committees under this section shall be considered in calculating the aggregate contribution amount under this subdivision and all such exploratory committee contributions that also meet the requirement under this subdivision for contributions from at least three hundred individuals residing in municipalities included, in whole or in part, in the district shall be counted for the purposes of said requirement.

(4) In the case of a candidate for nomination or election to the office of state representative for a district, contributions from individuals in the aggregate amount of five thousand dollars, including contributions from at least one hundred fifty individuals residing in municipalities included, in whole or in part, in said district. The provisions of this subdivision shall be subject to the following: (A) The candidate committee shall return the portion of any contribution or contributions from any individual, including said candidate, that exceeds one hundred dollars, and such excess portion shall not be considered in calculating the aggregate contribution amount under this subdivision, (B) no contribution shall be counted for the purposes of the

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requirement under this subdivision for contributions from at least one hundred fifty individuals residing in municipalities included, in whole or in part, in the district unless the contribution is five dollars or more, and (C) all contributions received by an exploratory committee established by said candidate that meet the criteria for qualifying contributions to candidate committees under this section shall be considered in calculating the aggregate contribution amount under this subdivision and all such exploratory committee contributions that also meet the requirement under this subdivision for contributions from at least one hundred fifty individuals residing in municipalities included, in whole or in part, in the district shall be counted for the purposes of said requirement.

(5) Notwithstanding the provisions of subdivisions (3) and (4) of this subsection, in the case of a special election for the office of state senator or state representative for a district, (A) the aggregate amount of qualifying contributions that the candidate committee of a candidate for such office shall be required to receive in order to be eligible for a grant from the Citizens' Election Fund shall be seventy-five per cent or more of the corresponding amount required under the applicable said subdivision (3) or (4), and (B) the number of contributions required from individuals residing in municipalities included, in whole or in part, in said district shall be seventy-five per cent or more of the corresponding number required under the applicable said subdivision (3) or (4).

(b) Each individual who makes a contribution of more than fifty dollars to a candidate committee established to aid or promote the success of a participating candidate for nomination or election shall include with the contribution a certification that [the individual is not a communicator lobbyist, a member of the immediate family of a communicator lobbyist or a principal of a state contractor or prospective state contractor] contains the same information described

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in subdivision (3) of subsection (c) of section 9-608, as amended by this act, and shall follow the same procedure prescribed in said subsection.

(c) The following shall not be deemed to be qualifying contributions under subsection (a) of this section and shall be returned by the campaign treasurer of the candidate committee to the contributor or transmitted to the State Elections Enforcement Commission for deposit in the Citizens' Election Fund:

(1) A contribution from a communicator lobbyist or a member of the immediate family of a communicator lobbyist;

(2) A contribution from a principal of a state contractor or prospective state contractor;

(3) A contribution of less than five dollars, and a contribution of five dollars or more from an individual who does not provide the full name and complete address of the individual; and

(4) A contribution under subdivision (1) or (2) of subsection (a) of this section from an individual who does not reside in the state, in excess of the applicable limit on contributions from out-of-state individuals in subsection (a) of this section.

(d) After a candidate committee receives the applicable aggregate amount of qualifying contributions under subsection (a) of this section, the candidate committee shall transmit any additional contributions that it receives to the State Treasurer for deposit in the Citizens' Election Fund.

(e) As used in this section, (1) "communicator lobbyist" has the same meaning as provided in section 1-91, (2) "immediate family" means the spouse or a dependent child of an individual, and (3) "principal of a state contractor or prospective state contractor" has the same meaning as provided in subsection (g) of section 9-612, as amended by this act.

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Sec. 17. Section 9-706 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) A participating candidate for nomination to the office of state senator or state representative in 2008, or thereafter, or the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer in 2010, or thereafter, may apply to the State Elections Enforcement Commission for a grant from the fund under the Citizens' Election Program for a primary campaign, after the close of the state convention of the candidate's party that is called for the purpose of choosing candidates for nomination for the office that the candidate is seeking, if a primary is required under chapter 153, and (A) said party endorses the candidate for the office that the candidate is seeking, (B) the candidate is seeking nomination to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer or Secretary of the State or the district office of state senator or state representative and receives at least fifteen per cent of the votes of the convention delegates present and voting on any roll-call vote taken on the endorsement or proposed endorsement of a candidate for the office the candidate is seeking, or (C) the candidate circulates a petition and obtains the required number of signatures for filing a candidacy for nomination for (i) the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer or Secretary of the State or the district office of state senator or state representative, pursuant to section 9-400, or (ii) the municipal office of state senator or state representative, pursuant to section 9-406, whichever is applicable. The State Elections Enforcement Commission shall make any such grants to participating candidates in accordance with the provisions of subsections (d) to (g), inclusive, of this section.

(2) A participating candidate for nomination to the office of state senator or state representative in 2008, or thereafter, or the office of

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Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer in 2010, or thereafter, may apply to the State Elections Enforcement Commission for a grant from the fund under the Citizens' Election Program for a general election campaign:

(A) After the close of the state or district convention or municipal caucus, convention or town committee meeting, whichever is applicable, of the candidate's party that is called for the purpose of choosing candidates for nomination for the office that the candidate is seeking, if (i) said party endorses said candidate for the office that the candidate is seeking and no other candidate of said party files a candidacy with the Secretary of the State in accordance with the provisions of section 9-400 or 9-406, whichever is applicable, (ii) the candidate is seeking election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer or Secretary of the State or the district office of state senator or state representative and receives at least fifteen per cent of the votes of the convention delegates present and voting on any roll-call vote taken on the endorsement or proposed endorsement of a candidate for the office the candidate is seeking, no other candidate for said office at such convention either receives the party endorsement or said percentage of said votes for said endorsement or files a certificate of endorsement with the Secretary of the State in accordance with the provisions of section 9-388 or a candidacy with the Secretary of the State in accordance with the provisions of section 9-400, and no other candidate for said office circulates a petition and obtains the required number of signatures for filing a candidacy for nomination for said office pursuant to section 9-400, (iii) the candidate is seeking election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer or Secretary of the State or the district office of state senator or state representative, circulates a petition and obtains the required number of signatures for filing a candidacy for nomination for said office pursuant to section 9-400 and no other

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candidate for said office at the state or district convention either receives the party endorsement or said percentage of said votes for said endorsement or files a certificate of endorsement with the Secretary of the State in accordance with the provisions of section 9-388 or a candidacy with the Secretary of the State in accordance with the provisions of section 9-400, or (iv) the candidate is seeking election to the municipal office of state senator or state representative, circulates a petition and obtains the required number of signatures for filing a candidacy for nomination for the office the candidate is seeking pursuant to section 9-406 and no other candidate for said office at the caucus, convention or town committee meeting either receives the party endorsement or files a certification of endorsement with the town clerk in accordance with the provisions of section 9-391;

(B) After any primary held by such party for nomination for said office, if the Secretary of the State declares that the candidate is the party nominee in accordance with the provisions of section 9-440;

(C) In the case of a minor party candidate, after the nomination of such candidate is certified and filed with the Secretary of the State pursuant to section 9-452; or

(D) In the case of a petitioning party candidate, after approval by the Secretary of the State of such candidate's nominating petition pursuant to section 9-453o.

(3) A participating candidate for nomination to the office of state senator or state representative at a special election in 2008, or thereafter, may apply to the State Elections Enforcement Commission for a grant from the fund under the Citizens' Election Program for a general election campaign after the close of the district convention or municipal caucus, convention or town committee meeting of the candidate's party that is called for the purpose of choosing candidates for nomination for the office that the candidate is seeking.

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(4) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, no participating candidate for nomination or election who changes the candidate's status as a major party, minor party or petitioning party candidate or becomes a candidate of a different party, after filing the affidavit required under section 9-703, shall be eligible to apply for a grant under the Citizens' Election Program for such candidate's primary campaign for such nomination or general election campaign for such election. The provisions of this subdivision shall not apply in the case of a candidate who is nominated by more than one party and does not otherwise change the candidate's status as a major party, minor party or petitioning party candidate.

(b) The application shall include a written certification that:

(1) The candidate committee has received the required amount of qualifying contributions;

(2) The candidate committee has repaid all moneys borrowed on behalf of the campaign, as required by subsection (b) of section 9-710;

(3) The candidate committee has returned any contribution of five dollars or more from an individual who does not include the individual's name and address with the contribution;

(4) The candidate committee has returned all contributions or portions of contributions that do not meet the criteria for qualifying contributions under section 9-704, as amended by this act, and transmitted all excess qualifying contributions to the Citizens' Election Fund;

(5) The campaign treasurer of the candidate committee will: [comply] (A) Comply with the provisions of [sections 9-700 to 9-716, inclusive] chapters 155 and 157, and (B) maintain and furnish all records required pursuant to chapters 155 and 157 and any regulation adopted pursuant to such chapters;

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(6) All moneys received from the Citizens' Election Fund will be deposited upon receipt into the depository account of the candidate committee;

(7) The campaign treasurer of the candidate committee will expend all moneys received from the fund in accordance with the provisions of subsection (g) of section 9-607 and regulations adopted by the State Elections Enforcement Commission under subsection (e) of this section; and

(8) If the candidate withdraws from the campaign, becomes ineligible or dies during the campaign, the candidate committee of the candidate will return to the commission, for deposit in the fund, all moneys received from the fund pursuant to sections 9-700 to 9-716, inclusive, which said candidate committee has not spent as of the date of such occurrence.

(c) The application shall be accompanied by a cumulative itemized accounting of all funds received, expenditures made and expenses incurred but not yet paid by the candidate committee as of three days before the [date that the application is signed] applicable application deadline contained in subsection (g) of this section. Such accounting shall be sworn to under penalty of false statement by the campaign treasurer of the candidate committee. The commission shall prescribe the form of the application and the cumulative itemized accounting. The form for such accounting shall conform to the requirements of section 9-608, as amended by this act. Both the candidate and the campaign treasurer of the candidate committee shall sign the application.

(d) [Not later than three business days following receipt of any such application] In accordance with the provisions of subsection (g) of this section, the commission shall review the application, determine whether (1) the candidate committee for the applicant has received the

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required qualifying contributions, (2) in the case of an application for a grant from the fund for a primary campaign, the applicant has met the applicable condition under subsection (a) of this section for applying for such grant and complied with the provisions of subsections (b) and (c) of this section, (3) in the case of an application for a grant from the fund for a general election campaign, the applicant has met the applicable condition under subsection (a) of this section for applying for such moneys and complied with the provisions of subsections (b) and (c) of this section, and (4) in the case of an application by a minor party or petitioning party candidate for a grant from the fund for a general election campaign, the applicant qualifies as an eligible minor party candidate or an eligible petitioning party candidate, whichever is applicable. If the commission approves an application, the commission shall determine the amount of the grant payable to the candidate committee for the applicant pursuant to section 9-705 from the fund, and notify the State Comptroller and the candidate of such candidate committee, of such amount. If the timing of the commission's approval of the grant in relation to the Secretary of the State's determination of ballot status is such that the commission cannot determine whether the qualified candidate committee is entitled to the applicable full initial grant for the primary or election or the applicable partial grant for the primary or election, as the case may be, the commission shall approve the lesser applicable partial initial grant. The commission shall then authorize the payment of the remaining portion of the applicable grant after the commission has knowledge of the circumstances regarding the ballot status of the opposing candidates in such primary or election. Not later than two business days following notification by the commission, the State Comptroller shall draw an order on the State Treasurer for payment of any such approved amount to the qualified candidate committee from the fund.

(e) The State Elections Enforcement Commission shall adopt regulations, in accordance with the provisions of chapter 54, on

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permissible expenditures under subsection (g) of section 9-607 for qualified candidate committees receiving grants from the fund under sections 9-700 to 9-716, inclusive.

(f) If a nominated participating candidate dies, withdraws the candidate's candidacy or becomes disqualified to hold the office for which the candidate has been nominated after the commission approves the candidate's application for a grant under this section, the candidate committee of the candidate who is nominated to replace said candidate pursuant to section 9-460 shall be eligible to receive grants from the fund without complying with the provisions of section 9-704, as amended by this act, if said replacement candidate files an affidavit under section 9-703 certifying the candidate's intent to abide by the expenditure limits set forth in subsection (c) of section 9-702 and notifies the commission on a form prescribed by the commission.

(g) (1) Any application submitted pursuant to this section for a primary or general election shall be submitted in accordance with the following schedule: (A) By five o'clock p.m. on the third Thursday in May of the year that the primary or election will be held at which such participating candidate will seek nomination or election, or (B) by five o'clock p.m. on any subsequent Thursday of such year, provided no application shall be accepted by the commission after five o'clock p.m. on or after the fourth to last Friday prior to the primary or election at which such participating candidate will seek nomination or election. Not later than four business days following any such Thursday or Friday, as applicable, or, in the event of a national, regional or local emergency or local natural disaster, as soon thereafter as is practicable, the commission shall review any application received by such Thursday or Friday, in accordance with the provisions of subsection (d) of this section, and determine whether such application shall be approved or disapproved. For any such application that is approved, any disbursement of funds shall be made not later than twelve

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business days prior to any such primary or general election. From the third week of June in even-numbered years until the third week in July, the commission shall meet twice weekly to determine whether or not to approve applications for grants if there are pending grant applications.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, no application for a special election shall be accepted by the commission after five o'clock p.m. on or after ten business days prior to the special election at which such participating candidate will seek election. Not later than three business days following such deadline, or, in the event of a national, regional or local emergency or local natural disaster, as soon thereafter as practicable, the commission shall review any such application received by such deadline, in accordance with the provisions of subsection (d) of this section, and determine whether such application shall be approved or disapproved. For any such application that is approved, any disbursement of funds shall be made not later than seven business days prior to any such special election.

(3) The commission shall publish such application review schedules and meeting schedules on the commission's web site and with the Secretary of the State.

Sec. 18. Section 9-712 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) If a candidate committee in a primary campaign or a general election campaign in which there is at least one participating candidate initially receives contributions, loans or other funds or makes [,] or incurs an obligation to make, an expenditure that, [is in excess of] in the aggregate, exceeds ninety per cent of the applicable [grant for said participating candidate or candidates for said campaign authorized under section 9-705] expenditure limit for the applicable primary or

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general election period, the campaign treasurer of the candidate committee receiving such contributions, loans or other funds or making or incurring the obligation to make the excess expenditure shall file a supplemental campaign finance statement with the State Elections Enforcement Commission [, not later than forty-eight hours after making or incurring said expenditure] in accordance with the provisions of subdivision (2) of this subsection.

(2) If a candidate committee receives contributions, loans or other funds, or makes or incurs an obligation to make an expenditure that, in the aggregate, exceeds ninety per cent of the applicable expenditure limit for the applicable primary or general election campaign period more than twenty days before the day of such primary or election, the campaign treasurer of said candidate shall file an initial supplemental campaign finance disclosure statement with the commission not later than forty-eight hours after receiving such contributions loans or other funds, or making or incurring such expenditure. If said candidate committee receives contributions, loans or other funds, or makes or incurs an obligation to make expenditures, that, in the aggregate, exceed ninety per cent of the applicable expenditure limit for the applicable primary or general election campaign period twenty days or less before the day of such primary or election, the campaign treasurer of such candidate shall file such statement with the commission not later than twenty-four hours after receiving such contributions, loans or funds, or making or incurring such expenditure.

[(2)] (3) After the initial filing of a statement under [subdivision] subdivisions (1) and (2) of this subsection, the campaign treasurer of the candidate filing the statement and the campaign treasurer of all of the opposing candidates shall file periodic supplemental campaign finance statements with the commission on the following schedule: (A) If the date of the applicable primary or general election is more than five weeks after the date the initial supplemental campaign finance

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disclosure statement is due to be filed in accordance with subdivisions (1) and (2) of this subsection, periodic supplemental campaign finance statements shall be filed bi-weekly on every other Thursday, beginning the second Thursday after the initial statement is filed; and (B) if the date of the applicable primary election or general election is five weeks or less away, periodic supplemental campaign finance statements shall be filed: (i) In the case of a primary campaign, on the first Thursday following the date in July on which candidates are required to file campaign finance statements pursuant to subsection (a) of section 9-608 of the 2008 supplement to the general statutes, as amended by this act, or the first Thursday following the supplemental campaign finance statement filed under [subdivision] subdivisions (1) and (2) of this subsection, whichever is later, and each Thursday thereafter until the Thursday before the day of the primary, inclusive, and [(B)] (ii) in the case of a general election campaign, on the first Thursday following the date in October on which candidates are required to file campaign finance statements pursuant to subsection (a) of section 9-608 of the 2008 supplement to the general statutes, or the first Thursday following the supplemental campaign finance statement filed under subdivision (1) of this subsection, whichever is later, and each Thursday thereafter until the Thursday [before] after the day of the election, inclusive.

(4) Notwithstanding the provisions of subdivisions (1), (2) and (3) of this subsection, if a candidate committee in a primary campaign or a general election campaign in which there is at least one participating candidate receives contributions, loans or other funds, or makes or incurs an obligation to make expenditures that, in the aggregate, exceed one hundred per cent, one hundred twenty-five per cent, one hundred fifty per cent, or one hundred seventy-five per cent of the applicable expenditure limit for the applicable primary or general election campaign period, the campaign treasurer of the candidate committee receiving the contributions, incurring the loans or raising

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the funds, or making or incurring the obligation to make the excess expenditure or expenditures shall file a declaration of excess receipts or expenditures statement with the commission, within the deadlines set forth in subdivision (2) of this subsection.

[(3)] (5) Each supplemental statement required under subdivision (1), [or] (2), (3) or (4) of this subsection for a candidate shall disclose the name of the candidate, the name of the candidate's campaign committee and the total amount of campaign contributions, loans or other funds received, or expenditures made or obligated to be made by such candidate committee during the primary campaign or the general election campaign, whichever is applicable, as of the day before the date on which such statement is required to be filed. The commission shall adopt regulations, in accordance with the provisions of chapter 54, specifying permissible media for the transmission of such statements to the commission, which shall include electronic mail.

(b) (1) As used in this [subsection] section and section 9-713, as amended by this act, "excess expenditure" means an expenditure made, or obligated to be made, by a nonparticipating or a participating candidate who is opposed by one or more other participating candidates in a primary campaign or a general election campaign, which is in excess of the amount of the applicable limit on expenditures for said participating candidates for said campaign [authorized under section 9-702] and which is the sum of (A) the applicable qualifying contributions that the participating candidate is required to receive under section 9-704, as amended by this act, to be eligible for grants from the Citizens' Election Fund, and (B) one hundred per cent of the applicable full grant amount for a major party candidate authorized under section 9-705 for the applicable campaign period.

[(2)] If a candidate committee makes, or incurs the obligation to make, an excess expenditure more than twenty days before the day of

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a primary or an election, the campaign treasurer of said candidate shall file a declaration of excess expenditures with the commission not later than forty-eight hours after making or incurring said expenditure. If said candidate committee makes, or incurs the obligation to make, an excess expenditure twenty days or less before the day of a primary or an election, the campaign treasurer of said candidate shall file such declaration with the commission not later than twenty-four hours after making or incurring the expenditure.]

[(3)] (2) The commission shall confirm whether an expenditure described in a declaration filed under this subsection is an excess expenditure.

(c) If a campaign treasurer fails to file any statement or declaration required by this section within the time required, said campaign treasurer shall be subject to a civil penalty, imposed by the commission, of not more than one thousand dollars for the first failure to file the statement within the time required and not more than five thousand dollars for any subsequent such failure.

Sec. 19. Section 9-713 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) If the State Elections Enforcement Commission determines that contributions, loans or other funds have been received, or that an expenditure is made, or obligated to be made, by a nonparticipating candidate who is opposed by one or more participating candidates in a primary campaign or a general election campaign, which [is in excess of ninety per cent of the applicable grant for said participating candidates for said campaign authorized under section 9-705, the State Elections Enforcement Commission shall immediately notify the State Comptroller and said participating candidates that additional moneys shall be held in escrow within the Citizens' Election Fund for the benefit of the candidate committee of each such participating

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candidate who has not made an expenditure in excess of the sum of (1) the amount of the applicable qualifying contributions that the participating candidate is required to receive under section 9-704 to be eligible for grants from the Citizens' Election Fund, and (2) one hundred per cent of such applicable grant. The amount of such additional moneys for each such participating candidate shall be twenty-five per cent of such applicable grant. The additional moneys shall remain in escrow until the commission processes such payment by voucher, utilizing the State Comptroller's accounting system. Any such voucher shall be processed by the commission] in the aggregate exceed one hundred per cent of the applicable expenditure limit for the applicable primary or general election campaign period, as defined in subdivision (1) of subsection (b) of section 9-712, as amended by this act, the commission shall process a voucher not later than two business days after the commission's determination [that said nonparticipating candidate has made, or incurred the obligation to make, an expenditure or expenditures in excess of one hundred per cent of such applicable grant] and the State Comptroller shall draw an order on the State Treasurer for payment, by electronic fund transfer directly into the campaign account of each such participating candidate, not later than three business days after receipt of an authorized voucher from the commission. The commission's determination may be made either on its own initiative to review the contributions, loans or other funds received or expenditures made, or obligated to be made of the nonparticipating candidate or upon request for review by any said participating candidate. Supplemental grant money under this subsection shall only be transmitted to the candidate committee of each such participating candidate who has not made an expenditure in excess of the sum of (1) the amount of the applicable qualifying contributions that the participating candidate is required to receive under section 9-704, as amended by this act, to be eligible for grants from the Citizens' Election Fund, and (2) one hundred per cent of the applicable primary or general election grant. The amount of such

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additional moneys for each such participating candidate shall be twenty-five per cent of the applicable primary or general election grant. Upon [receipt of any such additional moneys the participating candidate may spend an amount of said moneys equal to the amount of such excess expenditure or expenditures] the commission's determination that a participating candidate is entitled to any such additional moneys, the candidate committee may incur the obligation to make such additional expenditures not greater than the amount approved as a supplemental grant received under this subsection. No participating candidate shall receive more than one payment of moneys under this subsection for any campaign. [Notwithstanding the provisions of this subsection, if the State Comptroller receives a notice described in this subsection from the State Elections Enforcement Commission within the seven-day period preceding a primary or an election or if such additional moneys are held in escrow within the Citizens' Election Fund for the benefit of the candidate committee of any such participating candidate on the seventh day prior to the day of a primary or an election, the State Comptroller (A) shall not hold any such additional moneys in escrow within the Citizens' Election Fund, and (B) shall immediately pay such additional moneys to the candidate committee of each such participating candidate.]

(b) If the State Elections Enforcement Commission determines that contributions, loans or other funds have been received, or that an expenditure is made, or obligated to be made, by a nonparticipating candidate who is opposed by one or more participating candidates in a primary campaign or a general election campaign, which [is in excess of one hundred fifteen per cent of the applicable grant for said participating candidates for said campaign authorized under section 9-705, the State Elections Enforcement Commission shall immediately notify the State Comptroller and said participating candidates that additional moneys shall be held in escrow within the Citizens' Election Fund for the benefit of the candidate committee of each such

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participating candidate who has not made an expenditure in excess of the sum of (1) the amount of the applicable qualifying contributions that the participating candidate is required to receive under section 9-704 to be eligible for grants from the Citizens' Election Fund, and (2) one hundred twenty-five per cent of such applicable grant. The amount of such additional moneys for each such participating candidate shall be twenty-five per cent of such applicable grant. The additional moneys shall remain in escrow until the commission processes such payment by voucher, utilizing the State Comptroller's accounting system. Any such voucher shall be processed by the commission] in the aggregate exceeds one hundred twenty-five per cent of the applicable expenditure limit for the applicable primary or general election campaign period, as defined in subdivision (1) of subsection (b) of section 9-712, as amended by this act, the commission shall process a voucher not later than two business days after its determination [that said nonparticipating candidate has made, or incurred the obligation to make, an expenditure or expenditures in excess of one hundred twenty-five per cent of such applicable grant] and the State Comptroller shall draw an order on the State Treasurer for payment, by electronic fund transfer directly into the campaign account of each such participating candidate, not later than three business days after receipt of an authorized voucher from the commission. The commission's determination may be made either on its own initiative to review the contributions, loans or other funds received, or expenditures made or obligated to be made of the nonparticipating candidate or upon request for review by any said participating candidate. Supplemental grant money under this subsection shall only be transmitted to the candidate committee of each such participating candidate who has not made an expenditure in excess of the sum of (1) the amount of the applicable qualifying contributions that the participating candidate is required to receive under section 9-704, as amended by this act, to be eligible for grants from the Citizens' Election Fund, and (2) one hundred per cent of the

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applicable primary or general election grant. The amount of such additional moneys for each such participating candidate shall be twenty-five per cent of the applicable primary or general election grant. Upon [receipt of any such additional moneys, the participating candidate may spend an amount of said moneys equal to the amount of such excess expenditure or expenditures] the commission's determination that a participating candidate is entitled to any such additional moneys, the candidate committee may incur the obligation to make such additional expenditures not greater than the amount approved as a supplemental grant received under this subsection. No participating candidate shall receive more than one payment of moneys under this subsection for any campaign. [Notwithstanding the provisions of this subsection, if the State Comptroller receives a notice described in this subsection from the State Elections Enforcement Commission within the seven-day period preceding a primary or an election or if such additional moneys are held in escrow within the Citizens' Election Fund for the benefit of the candidate committee of any such participating candidate on the seventh day prior to the day of a primary or an election, the State Comptroller (A) shall not hold any such additional moneys in escrow within the Citizens' Election Fund, and (B) shall immediately pay such additional moneys to the candidate committee of each such participating candidate.]

(c) If the State Elections Enforcement Commission determines that contributions, loans or other funds have been received, or that an expenditure is made, or obligated to be made, by a nonparticipating candidate who is opposed by one or more participating candidates in a primary campaign or a general election campaign, which [is in excess of one hundred forty per cent of the applicable grant for said participating candidates for said campaign authorized under section 9-705, the State Elections Enforcement Commission shall immediately notify the State Comptroller and said participating candidates that additional moneys shall be held in escrow within the Citizens' Election

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Fund for the benefit of the candidate committee of each such participating candidate who has not made an expenditure in excess of the sum of (1) the amount of the applicable qualifying contributions that the participating candidate is required to receive under section 9-704 to be eligible for grants from the Citizens' Election Fund, and (2) one hundred fifty per cent of such applicable grant. The amount of such additional moneys for each participating candidate shall be twenty-five per cent of such applicable grant. The additional moneys shall remain in escrow until the commission processes such payment by voucher, utilizing the State Comptroller's accounting system. Any such voucher shall be processed by the commission] in the aggregate exceeds one hundred fifty per cent of the applicable expenditure limit for the applicable primary or general election campaign period, as defined in subdivision (1) of subsection (b) of section 9-712, as amended by this act, the commission shall process a voucher not later than two business days after its determination [that said nonparticipating candidate has made, or incurred the obligation to make, an expenditure or expenditures in excess of one hundred fifty per cent of such applicable grant] and the State Comptroller shall draw an order on the State Treasurer for payment, by electronic fund transfer directly into the campaign account of each such participating candidate, not later than three business days after receipt of an authorized voucher from the commission. The commission's determination may be made either on its own initiative to review the contributions, loans or other funds received, or expenditures made or obligated to be made of the nonparticipating candidate or upon request for review by any said participating candidate. Supplemental grant money under this subsection shall only be transmitted to the candidate committee of each such participating candidate who has not made an expenditure in excess of the sum of (1) the amount of the applicable qualifying contributions that the participating candidate is required to receive under section 9-704, as amended by this act, to be eligible for grants from the Citizens' Election Fund, and (2) one

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hundred per cent of the applicable primary or general election grant. The amount of such additional moneys for each such participating candidate shall be twenty-five per cent of the applicable primary or general election grant. Upon [receipt of any such additional moneys, the participating candidate may spend an amount of said moneys equal to the amount of such excess expenditure or expenditures] the commission's determination that a participating candidate is entitled to any such additional moneys, the candidate committee may incur the obligation to make such additional expenditures not greater than the amount approved as a supplemental grant received under this subsection. No participating candidate shall receive more than one payment of moneys under this subsection for any campaign. [Notwithstanding the provisions of this subsection, if the State Comptroller receives a notice described in this subsection from the State Elections Enforcement Commission within the seven-day period preceding a primary or an election or if such additional moneys are held in escrow within the Citizens' Election Fund for the benefit of the candidate committee of any such participating candidate on the seventh day prior to the day of a primary or an election, the State Comptroller (A) shall not hold any such additional moneys in escrow within the Citizens' Election Fund, and (B) shall immediately pay such additional moneys to the candidate committee of each such participating candidate.]

(d) If the State Elections Enforcement Commission determines that contributions, loans or other funds have been received, or that an expenditure is made, or obligated to be made, by a nonparticipating candidate who is opposed by one or more participating candidates in a primary campaign or a general election campaign, which [is in excess of one hundred sixty-five per cent of the applicable grant for said participating candidates for said campaign authorized under section 9-705, the State Elections Enforcement Commission shall immediately notify the State Comptroller and said participating candidates that

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additional moneys shall be held in escrow within the Citizens' Election Fund for the benefit of the candidate committee of each such participating candidate who has not made an expenditure in excess of the sum of (1) the amount of the applicable qualifying contributions that the participating candidate is required to receive under section 9-704 to be eligible for grants from the Citizens' Election Fund, and (2) one hundred seventy-five per cent of such applicable grant. The amount of such additional moneys for each such participating candidate shall be twenty-five per cent of such applicable grant. The additional moneys shall remain in escrow until the commission processes such payment by voucher, utilizing the State Comptroller's accounting system. Any such voucher shall be processed by the commission] in the aggregate exceeds one hundred seventy-five per cent of the applicable expenditure limit for the applicable primary or general election campaign period, as defined in subdivision (1) of subsection (b) of section 9-712, as amended by this act, the commission shall process a voucher not later than two business days after its determination [that said nonparticipating candidate has made, or incurred the obligation to make, an expenditure or expenditures in excess of one hundred seventy-five per cent of such applicable grant] and the State Comptroller shall draw an order on the State Treasurer for payment, by electronic fund transfer directly into the campaign account of each such participating candidate, not later than three business days after receipt of an authorized voucher from the commission. The commission's determination may be made either on its own initiative to review the contributions, loans or other funds received, or expenditures made or obligated to be made of the nonparticipating candidate or upon request for review by any said participating candidate. Supplemental grant money under this subsection shall only be transmitted to the candidate committee of each such participating candidate who has not made an expenditure in excess of the sum of (1) the amount of the applicable qualifying contributions that the participating candidate is required to receive

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under section 9-704, as amended by this act, to be eligible for grants from the Citizens' Election Fund, and (2) one hundred per cent of the applicable primary or general election grant. The amount of such additional moneys for each such participating candidate shall be twenty-five per cent of the applicable primary or general election grant. Upon [receipt of any such additional moneys, the participating candidate may spend an amount of said moneys equal to the amount of such excess expenditure or expenditures] the commission's determination that a participating candidate is entitled to any such additional moneys, the candidate committee may incur the obligation to make such additional expenditures not greater than the amount approved as a supplemental grant received under this subsection. No participating candidate shall receive more than one payment of moneys under this subsection for any campaign. [Notwithstanding the provisions of this subsection, if the State Comptroller receives a notice described in this subsection from the State Elections Enforcement Commission within the seven-day period preceding a primary or an election or if such additional moneys are held in escrow within the Citizens' Election Fund for the benefit of the candidate committee of any such participating candidate on the seventh day prior to the day of a primary or an election, the State Comptroller (A) shall not hold any such additional moneys in escrow within the Citizens' Election Fund, and (B) shall immediately pay such additional moneys to the candidate committee of each such participating candidate.]

(e) If the State Elections Enforcement Commission determines that an expenditure is made, or obligated to be made, by a participating candidate who is opposed by one or more other participating candidates in a primary campaign or a general election campaign, which is in excess of the sum of (1) the amount of the applicable qualifying contributions that a candidate is required to receive under section 9-704, as amended by this act, to be eligible for grants from the Citizens' Election Fund, and (2) the amount of the applicable grant for

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said participating candidates for said campaign authorized under section 9-705, the State Elections Enforcement Commission shall immediately notify the State Comptroller and said participating candidates [that additional moneys, equal to the amount of such excess expenditure, shall be held in escrow within the Citizens' Election Fund for the benefit of the candidate committee of each such participating candidate who has not made such an excess expenditure. The additional moneys shall remain in escrow until the commission processes such payment by voucher, utilizing the State Comptroller's accounting system] and shall process a voucher equal to the amount of such excess expenditure utilizing the State Comptroller's accounting system. Any such voucher shall be processed by the commission not later than two business days after its determination that said nonparticipating candidate has made, or incurred the obligation to make, an expenditure or expenditures in such excess amounts. The State Comptroller shall draw an order on the State Treasurer for payment, by electronic fund transfer directly into the campaign account of each such participating candidate, not later than three business days after receipt of an authorized voucher from the commission. The commission's determination may be made either on its own initiative to review the expenditures of the nonparticipating candidate or upon request for review by said participating candidate. Upon [receipt of any such additional moneys, the participating candidate may spend an amount of said moneys equal to the amount of such excess expenditure or expenditures] the commission's determination that a participating candidate is entitled to any such additional moneys, the candidate committee may incur the obligation to make such additional expenditures not greater than the amount approved as a supplemental grant under this subsection. No participating candidate shall receive more than one payment of moneys under this section for any campaign. Notwithstanding the provisions of this subsection, if the State Comptroller receives a notice described in this subsection from the State Elections Enforcement

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Commission within the seven-day period preceding a primary or an election or if such additional moneys are held in escrow within the Citizens' Election Fund for the benefit of the candidate committee of any such participating candidate on the seventh day prior to the day of a primary or an election, the State Comptroller (A) shall not hold any such additional moneys in escrow within the Citizens' Election Fund, and (B) shall immediately pay such additional moneys to the candidate committee of each such participating candidate.

(f) If, during the ninety-six-hour period beginning at five o'clock p.m. on the Thursday preceding the day of a primary or an election, the commission receives a notice from a participating candidate that contributions, loans or other funds have been received, or that an expenditure is made, or obligated to be made, which exceed one hundred per cent, one hundred twenty-five per cent, one hundred fifty per cent, or one hundred seventy-five per cent of the applicable expenditure limit for the applicable primary or general election period, as defined in subdivision (1) of subsection (b) of section 9-712, as amended by this act, by an opposing candidate [has made or incurred an obligation to make excess expenditures] that have not yet been reported to the commission, the commission shall expeditiously review such notice and notify the State Comptroller, who shall immediately [pay moneys from the fund, in the amount of such excess expenditures confirmed or estimated by the commission, to the qualified candidate committee of said participating candidate or to any person requested by the campaign treasurer of said committee] process a voucher, utilizing the State Comptroller's accounting system. The amount of such additional moneys for each such participating candidate shall be equivalent to the applicable grant that would be received pursuant to subsection (a), (b), (c), or (d) of this section. Upon the commission's determination that a participating candidate is entitled to any such additional moneys, the candidate committee may incur the obligation to make such additional expenditures not greater than the amount

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approved as a supplemental grant under this subsection.

(g) The maximum aggregate amount of moneys that the qualified candidate committee of a participating candidate shall receive under subsections (a) to (f), inclusive, of this section for a primary campaign or a general election campaign to match excess expenditures by an opposing candidate shall not exceed (1) the highest amount of excess expenditures by an opposing candidate during said campaign, or (2) the amount of the applicable grant authorized under section 9-705 for said participating candidate for the campaign, whichever is less.

Approved April 4, 2008